

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

Blue Spike, LLC,

*Plaintiff,*

v.

Texas Instruments, Inc., et al.,

*Defendants.*

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CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

**NOTICE OF MOOTNESS OF DEFENDANTS' PENDING MOTIONS TO  
DISMISS (DKT. NOS. 1111 & 1112)**

Plaintiff Blue Spike, LLC hereby provides notice to the Court that Defendant Soundmouse, Ltd.'s "Motion to Dismiss Plaintiff's Indirect Infringement and Willful Infringement Claims Fed. R. Civ. P. 12(b)(6)" (Dkt. No. 1111) and Defendants Cognitec Systems, Corp. and Cognitec Systems GmbH's "Motion to Dismiss Plaintiff's Indirect Infringement and Willful Infringement Claims Pursuant to Fed. R. Civ. P. 12(b)(6)" (Dkt. No. 1112) are moot in light of Blue Spike's First Amended Complaints (Dkt. Nos. 1116 & 1115 respectively) filed against the Defendants.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this day.

/s/ Randall T. Garteiser  
Randall T. Garteiser